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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/881,836	06/18/2001	Yongfa Kong	010737	8425	
23850	350 7590 10/21/2003		EXAMINER		
	NG, KRATZ, QUINT	STRICKLAND, JONAS N			
1725 K STR SUITE 1000			ART UNIT	PAPER NUMBER	
WASHINGT	TON, DC 20006		1754		

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Responsive to communication(s) filed on <i>08 August 2003</i> . 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-6 is/are pending in the application. 4a) Of the above claim(s) 5 is/are withdrawn from consideration. 5) Claim(s)	• 2	'			// /.				
## Examiner ## Lonas N. Strickland ## Lonas			Application No.	Applicant(s)	100				
Jonas N. Strickland 1754 Jonas N. Strickland 1754			09/881,836	KONG ET AL.	C				
- The MALING DATE of this communication appears on the c_ver sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CER 1.138(s). In ro event, however, may a reply be simely field If the parrol for reply specified shows the test share than shirty (30) days, a reply within the salutiony minimum of thirty (30) days, will be considered smally if the parrol for reply specified shows, the maximum statutory probled all gard would licenses 30 MONTH's from the making date of this communication. Failure to may whithe the soft or decended princid for reply will be yet salution; probled all gard will clienses 30 MONTH's from the making date of this communication. Final transplantations adjustment. Sea 37 CFR 1.704(s). **Status** 1) □ Responsive to communication(s) filed on **OB Augusts 2003** 2a) □ This action is FinAL. 2b) □ This action is non-final. 3) □ Is shown this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex partie Queryle, 1935 C.D. 11, 453 O.G. 213. **Disposition of Claims** 4) □ Claim(s) **Li sidare pending in the application. 4a) Of the above claim(s) § is/are withdrawn from consideration. 5) □ Claim(s) **Li sidare allowed. 6) □ Claim(s) **Li sidare objected to by the Examiner. Application Papers 9) □ The specification is objected to by the Examiner. Application Papers 9) □ The proposed drawing correction filed on **Lisare** is all approved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) □ The proposed drawing correction filed on **Lisare** is all approved by the Examiner. If approved corrected drawings are required in reply to this Office action. 12) □ The proposed drawing correction filed on **Lisare** is all approved by the Examiner. If approved corrected trawing		Office Action Summary	Examiner	Art Unit					
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DETAILED ACTION

Election/Restrictions

1. Claim 15 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 - 1. Determining the scope and contents of the prior art.
 - 2. Ascertaining the differences between the prior art and the claims at issue.
 - 3. Resolving the level of ordinary skill in the pertinent art.
 - 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. "Study of Resistance Against Photorefractive Light-Induced Scattering in LiNbO₃: Fe, Mg Crystals".

Zhang et al. discloses a LiNbO₃: Fe, Mg crystal, which may be utilized in optical processing, dynamic holography techniques (an optical storage material). Zhang et al. continues to disclose wherein M is Mg, Zn, or In. Zhang et al. continues to disclose wherein the Mg concentration is 4.6 mol%. Since, Zhang et al. teaches LiNbO₃, it would have been obvious to one of ordinary skill in the art to meet the stoichiometric values of the congruent composition as well as the mole percentage of Zn and In, because Zhang et al. clearly teaches wherein a LiNbO₃: Fe composition is doped with magnesium, indium or zinc as a three-dimensional optical storage material, and wherein the Mg mole ratio is at least 4.6 mol%.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonas N. Strickland whose telephone number is 703-306-5692. The examiner can normally be reached on M-TH, 7:30-5:00, off 1st Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on 703-308-3837. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-0661.

Jonas N. Strickland October 15, 2003

STANLEY S. SILVERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

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